



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,902	02/12/2002	Yoshio Nitta	P14968-A	3567

7590 05/21/2003  
McGinn & Gibb, PLLC  
Suite 200  
8321 Old Courthouse Road  
Vienna, VA 22182-3817

EXAMINER

NGUYEN, HUY D

ART UNIT	PAPER NUMBER
----------	--------------

2681

DATE MAILED: 05/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/072,902

Applicant(s)

NITTA, YOSHIO

Examiner

Huy D Nguyen

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 10 and 11 is/are rejected.
- 7) ☒ Claim(s) 7-9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3. 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3-5, 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Herrod et. al. (US 2001/0043273).

Regarding claims 1, 5, Herrod et. al. discloses a mobile station (terminal 10) comprising: a wireless communication unit (wireless internet link 18) for wirelessly communicating with a mobile communication system network (network 5); and a Web function unit (FIG. 7; module 57) which is connected to a content in mobile communication system network via wireless communication unit and has a content server function in WWW (World Wide Web) [0043], [0021].

Regarding claim 3, Herrod et. al. discloses a mobile station, wherein mobile station further comprises a cache memory (FIG. 7, module 56) for storing a content provided by Web function unit, and a content stored in cache memory is referred to from mobile communication system network by accessing cache memory [0060].

Regarding claims 4, 11, Herrod et. al. discloses a mobile station, wherein mobile station further comprises the content server function includes at least one of a WWW server function, mail server function [0003].

*Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 2, 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herrod et. al. in view of Ausems et al. (US Patent No. 6,434,403).

Regarding claim 2, Herrod et. al. does not disclose a speech communication unit. Ausems et al. discloses wireless phone engine 210 in the PDA 100 (Col. 5, lines 49-50). Herrod et. al. and Ausems et al. are combinable since they are in the same field of endeavor, which is communications. It would have been obvious to one having ordinary skill in the art at the time the invention was made to include phone engine as disclosed in Ausems et al. to terminal 10 since that adds voice function and makes it more convenient for user.

Regarding claim 6, Herrod et. al. discloses the claimed invention except for the authentication for the mobile terminal to access the network. It would have been obvious to one having ordinary skill in the art at the time the invention was made to include an authentication device in the network since it was known in the art that authentication provides security for the network.

5. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Herrod et. al. in view of Swilden et. al. (US Patent No. 6,484,143).

Art Unit: 2681

Regarding claim 10, Herrod et. al. discloses the claimed invention except for a cache unit that caches only a changed content when the content is updated. Swilden et. al. teaches a cache that is refreshed when the content is changed [Col. 11, lines 1-3]. Herrod et. al. and Swilden et. al. are combinable since they are in the same field of endeavor, which is communications. It would have been obvious to one having ordinary skill in the art at the time the invention was made to include a cache unit that caches only a changed content when the content is updated as disclosed in Swilden et. al. since it keeps track of the changes in the content and makes the system function more efficiently.

#### *Allowable Subject Matter*

6. Claims 7-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 7-9, Herrod et. al. discloses the claimed invention except for the cache equipment that caches a set content having a high access frequency among contents provided by the Web function unit.

#### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Moon et al. (US Patent No. 6,085,098) teaches apparatus and method for automatically configuring settings of a software application in a portable intelligent communications device.

Art Unit: 2681

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D Nguyen whose telephone number is 703-305-3283. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on 703-305-4778. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-6750.

*hw*

May 16, 2003

*Erika Gary*  
ERIKA GARY  
PATENT EXAMINER